

REMARKS

Claims 1, 2, 5, 8-12 and 20 have been amended herein. Claims 1-20 remain pending in the Application. No new matter has been added. Entry of the amendment is respectfully requested. Reconsideration is respectfully requested.

In a phone conversation with the Examiner on March 8, 2007, Applicants' representative (Christopher L. Parmelee, 42,980) confirmed that references to the set of claims 9-19 in the Action with respect to the 35 U.S. § 112 rejection and allowable subject matter should have been stated as claims 5-19.

The indication of allowable subject matter is greatly appreciated. To place the application in condition for allowance, the following amendments have been made to the claims:

- In independent claim 1, the acknowledged allowable subject matter in independent claim 5 directed to the formation of dicalciumferrite has been added. Also, claim 1 has been amended to remove the asserted contradictory phrase of "after firing".
- In dependent claim 2, the adjective "raw" has been removed from before "density".
- In independent claim 5, the method steps in a passive voice have been rephrased as active steps beginning with a gerund as suggested in the Action. Also, claim 5 has been amended to include the referenced element "(d)", which element is recited in claim 1 as well.
- In dependent claims 8-12, the phrase "MgO-containing" has been replaced with the phrase "purely magnesitic" which has antecedent basis in parent claim 5.

- Claim 20 has been amended to depend from claim 5 and to phrase the subject matter as an active step of "lining a rotary kiln using the moulded body".
- Also further clarifying amendments have been made to the amended claims to make the claimed subject matter even more clear and definite.

It is respectfully submitted that with these amendments, all of the 35 U.S.C. § 112, second paragraph rejections and the 35 U.S.C. § 101 rejection have been overcome.

In addition with the amendment of claim 1, all of the claims now recite subject matter indicated in the Action to be allowable. Therefore it is respectfully submitted that the 35 U.S.C. § 102 and § 103 rejections have also been overcome.

Allowance of the Application is respectfully requested.

Specification

In the Action the Specification was objected to as failing to provide proper antecedent basis for the claimed subject matter directed to the formation of dicalciumferrite.

Applicants respectfully traverse this objection.

Support for the formation of dicalciumferrite is found on page 4, second paragraph of the original (German language) PCT Specification, which corresponds to page 3, third paragraph of the U.S. (English language translation) Specification.

Applicants respectfully submit that the original Specification fully supports each and every feature, relationship and step recited in the claims. No new matter has been added.

Claim Rejections

Claims 1-19, were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claim 20 was rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter.

Claims 1-4, were rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Fukatsu, et al. (U.S. Patent No. 3,523,804).

These rejections are respectfully traversed. Applicants respectfully submit that each of these claims satisfies the statutory mandate and recites features which patentably distinguish these claims over the prior art. However, to put this Application in condition for allowance, Applicants have amended the claims as discussed above. The amendments of the claims herein do not correspond to an admission that the original forms of the claims are unpatentable. Applicants reserve the right to file Divisional applications including the original forms of these claims.

Conclusion

All of the pending claims should now be in condition for allowance. Allowance of the Application is therefore respectfully requested.

The undersigned will be happy to discuss any aspect of the Application by telephone at the Office's convenience.

Respectfully submitted,

/Christopher L. Parmelee/

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